

**MONOGRAPH
OF
CODE CHANGE SUBMITTALS FOR 2004
ANNUAL CODE ADOPTION CYCLE
VOLUME II OF IV
SUGGESTED REVISIONS
TO THE
CALIFORNIA BUILDING STANDARDS CODE
TITLE 24**

CODE ADVISORY COMMITTEE MEETINGS

(Advisory committee meeting dates are subject to change)

Access Committee Jan. 26, 2005

Health Facilities Committee Feb. 2, 2005

**Structural Design / Lateral Forces
Committee Feb. 3, 2005**

**Building, Fire & Other Committee
Feb. 9, 2005**

**Plumbing, Electrical, Mechanical & Energy
Committee Feb. 16, 2005**

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Preface

California Building Standards Law (Health and Safety Code §18929.1) requires state agencies that propose building standards for adoption in, amendment to, or repeal from the California Building Standards Code (Title 24, California Code of Regulations) to submit for consideration in an annual code adoption cycle. Further law requires proposed building standard and its justification to undergo a technical review by technical advisory committees of the California Building Standards Commission (CBSC). This document contains the proposed building standards that will be considered by technical advisory committees in the 2004 ANNUAL CODE ADOPTION CYCLE. In **January & February, 2005**, Technical Code Advisory Committees of the California Building Standards Commission will accept public comments, consider the technical merit of the proposed code changes, and recommend an action (approval, disapproval, approval as amended) to the commission.

Proposed building standards are listed in the Table of Contents. They are proposed by the California Building Standards Commission, the Department of Housing and Community Development, the Division of the State Architect, the Office of the State Fire Marshal, and the Office of Statewide Health Planning and Development.

The purpose of this document is to make available to the technical Code Advisory Committees the proposed building standards submitted by the departments named above for advisory committee review and comment. Following the committee meetings, the state agencies will develop their final proposed building standards to be noticed for public comment. The commission will conduct a 45-day public comment period due to begin in May and end in July, 2005. For more information regarding the cycle process please visit the California Building Standards Commission web site at; www.bsc.ca.gov.

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OCTOBER 2004

***Suggested Revisions to the California Building Standards Code
California Code of Regulations
Title 24
(Submittals for 2004 Annual Cycle)***

NOTE: In order to follow the proposed revisions through the code change cycle, it is important to retain parts 1, 2, 3, 4, 5, 9, & 12 of the California Building Standards Code.

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Open Meetings - Where and When

This part of California Building Standards Code Monograph contains 2004 California proposed code changes to the Code. These changes will be considered by the Code Advisory committees, to which they have been referred, at public meetings, as indicated in the chart that follows:

CBSC Code Advisory Committee Meetings

Note: Meetings may continue into a second day, and the order in which code changes are heard may change.

<p style="text-align: center;">ACCESSIBILITY January 26, 2005 – 10:00 AM California Building Standards Commission 2525 Natomas Park Dr. 1st Floor Conference Rm. Sacramento, CA 95814</p>	<p style="text-align: center;">BUILDING, FIRE & OTHER February 9, 2005 – 10:00 AM California Building Standards Commission 2525 Natomas Park Dr. 1st Floor Council Rm. Sacramento, CA. 95833</p>
<p style="text-align: center;">PLUMBING, ELECTRICAL, MECHANICAL & ENERGY February 16, 2005 – 10:00 AM California Building Standards Commission 2525 Natomas Park Dr. 1st Floor Council Rm. Sacramento, CA. 95833</p>	<p style="text-align: center;">STRUCTURAL DESIGN/LATERAL FORCES February 3, 2005 – 10:00 AM California Building Standards Commission 2525 Natomas Park Dr. 1st Floor Council Rm. Sacramento, CA. 95833</p>
<p style="text-align: center;">HEALTH FACILITIES February 2, 2005 – 10:00 AM California Building Standards Commission 2525 Natomas Park Dr. 1st Floor Council Rm. Sacramento, CA. 95833</p>	

Initial Statement of Reasons

The reasons for proposing this particular rulemaking action represent the opinion of the proposing or adopting State agency.

Note:

The committee to which an item may be referred is subject to change. When such a change is necessary it will be shown on the committee's agenda. When a letter designation precedes the first number, the change is to the appropriate appendix of the code.

The following meeting facilities and restrooms are accessible to persons with disabilities. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Commission office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, they may be contacted at (916) 363-0661.

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA. 95833

Parking is available on site at the Natomas Park Office Complex

Identification of Changes

Example of Code Change Submittal:

ITEM 3 SFM 2/04 Part 9 Section 1006.2.7.1.1 & 1006.3.3.3.1	[BFO]
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In keeping with the established format, each code change is identified by an eight-part designation as follows:

⁽¹⁾ ITEM 3	⁽²⁾ [BFO]	
⁽³⁾ SFM	⁽⁴⁾ 2/	⁽⁵⁾ 04
⁽⁶⁾ Part 9, Chapter 10		

⁽⁷⁾ **Petition Note:**

⁽⁸⁾ **Repeal or Amend Section 1006:**

The above reference would refer to an amendment of:

- ⁽¹⁾ (Item Number) - Item 3 of the Code Advisory Committee agenda;
- ⁽²⁾ (Code Advisory Committee) - Committee to which the Item 3 is referred, the Building, Fire & Other [BFO];
- ⁽³⁾ (Proposing State Agency) - Proposing state agency initials, SFM;
- ⁽⁴⁾ (Submittal Number) - Second code change submitted, 2;
- ⁽⁵⁾ (Year Submitted);
- ⁽⁶⁾ (Part and/or Chapter or Article) - Chapter 10 affected;
- ⁽⁷⁾ (Petition Note, when applicable) - Note: indicating this code change is in response to a code change petition, identifying petitioner;
- ⁽⁸⁾ (Action Proposed by State Agency) - Proposed action to repeal section 1006.

Express Terms Legend

- ⁽¹⁾ California amendment (CA) brought forward **without** modification: *All language will appear in italics.*
- ⁽²⁾ California amendment (CA) brought forward **with** modification: *All language will appear in italics, modified language is shown underlined.*
- ⁽³⁾ Repealed text: Shown as ~~Strikeout~~.

Legend of Proposing or Adopting State Agencies

CBSC -	California Building Standards Commission -- Thomas L. Morrison.....	(916) 263-0916
HCD -	Department of Housing and Community Development -- Chris Anderson.....	(916) 445-9471
DSA/AC -	Division of the State Architect -- Access Compliance Michael Mankin.....	(916) 445-5827
DSA/SS -	Division of the State Architect -- Structural Safety Richard Conrad	(916) 445-8100
OSHPD -	Office of Statewide Health Planning & Development -- Sue Botelho	(916) 654-2012
SFM -	State Fire Marshal -- Leslie Haberek.....	(916) 445-8200

Instructions for Presenting Comments

For position of “Approve”, “Approve as Amended”, “Disapprove or Further Study”, comments must be restricted in terms of one or more of the following Nine-Point Criteria:

1. Do the proposed building standards conflict with, overlap, or duplicate other building standards?
2. Are the proposed building standards within the parameters established by enabling legislation, and not expressly within the exclusive jurisdiction of another agency?
3. Does the public interest require the adoption of the building standards?
4. Are the proposed building standards unreasonable, arbitrary, unfair, or capricious, in whole or in part?
5. If there is a cost to the public, is it reasonably based on overall benefit to be derived from the building standards?
6. Are the proposed building standards in any way ambiguous or vague, in whole or in part?
7. Where appropriate, were applicable national specifications, published standards, and model codes incorporated therein as provided in this part?
8. Is the format of the building standards consistent with that adopted by the CBSC?
9. Is there written approval of proposed building standards from the State Fire Marshal, if the standards promote fire and panic safety as determined by the State Fire Marshal?

This information is provided voluntarily to facilitate this hearing under Government Code Section 11124, no person is required to register his or her name as a condition to attend a meeting of a state body.

Should you wish to present your comment to a advisory committee, complete the form below for each item and submit to commission staff prior to the start of the advisory committee meeting. Additional forms will be available at the meetings.

**State of California
California Building Standards Commission**

Item No.

Approve ____ Approved as Amended ____ Disapprove ____ Further Study

Criteria: (1) (2) (3) (4) (5) (6) (7) (8) (9)

(circle one or more)

Name: _____

Telephone No: (____)

Address: _____
City _____ **State** _____ **Zip** _____

Representing: _____
(Name of Organization or Group)

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STATE OF CALIFORNIA
 STATE AND CONSUMER SERVICES AGENCY
 CALIFORNIA BUILDING STANDARDS COMMISSION
 2525 NATOMAS PARK DR., SUITE 130
 SACRAMENTO, CA 95833
 (916) 263-0916 Phone
 (916) 263-0959 Fax

Office Use Item No. _____

PARTICIPATION COMMENTS
 Challenge/comments should be sent to the above address.
 (SEE RULES FOR PUBLIC COMMENTS ON REVERSE SIDE)

(WRITTEN COMMENT DEADLINES:

- ☐ ACCESS COMMITTEE.....JANUARY 17, 2005
- ☐ HEALTH FACILITIES JANUARY 24, 2005
- ☐ STRUCTURAL/LATERAL JANUARY 25, 2005
- ☐ BUILDING, FIRE, OTHER JANUARY 31, 2005
- ☐ PLUMBING, ELECTRICAL, ETC.....FEBRUARY 7, 2005)

Date: _____

From: _____ (Signature)

 Agency, jurisdiction, chapter, company, association, individual, etc.

 Street City State Zip

I/We (do)(do not) agree with:

[] The Agency proposed modifications As Submitted on Item No. _____

and request that this item or reference provision be recommended:

[] Approved [] Disapproved [] Held for Further Study [] Approved as Amended

by the reviewing Code Advisory Committee.

Reason: [The reason should be concise; if the request is for "Disapproval", "Further Study", or "Approve As Amend" identify at least one of the 9-Point Criteria (see following pages) of Health & Safety Code §18930.]

RULES OF PROCEDURES FOR PUBLIC COMMENTS

SEC. 1-900. DEFINITIONS.

The following definitions govern the interpretation of this article.

- (a) **“Challenge”** means a written public comment received during a written comment period and directed at a proposed change or a code advisory committee recommendation or the procedures followed by the Commission in proposing or adopting the action.
- (b) **“Code advisory committee”** means an advisory panel or body appointed to advise the Commission with respect to building standards.
- (c) **“Code change”** means a proposed change to a building standard as defined by H&SC Section 18909.
- (d) **“Code change submittal”** means a proposed code change and its justification submitted to the Commission by a proposing agency.
- (e) **“Commission”** means the California Building Standards Commission.
- (f) **“Executive Director”** means the Executive Director of the California Building Standards Commission.
- (g) **“Justification”** means an initial statement of reason and the information needed to complete a notice of proposed action, including a determination as to the effect of the code change on housing costs.
- (h) **“Proposing agency”** means a state agency having authority and responsibility to propose a building standard for adoption by the Commission.
- (i) **“Special code advisory committee”** means an ad hoc committee established by the Commission, when necessary, to advise the Commission on a subject in the code needing extensive revision or on a complex subject which needs to be regulated or to perform a review of a proposed code change that warrants special technical review.
- (j) **“Technical review”** means a review of a proposed code change and its justification conducted pursuant to H&SC Section 18930©, (d), (e), (f) to ensure that a code change is justified in terms of criteria of H&SC Section 18930(a), the nine point criteria.

SEC. 1-901. PROCEDURE FOR CODE ADOPTION PROCESS.

- (d) **Public Written Comment Period.** Anyone wishing to contest a recommendation of the code advisory committee(s) and/or comment on a proposed code change in the monograph may submit a challenge to the Commission during the written comment period established by the notice of proposed action. Upon written request received, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Government Code Section 11346.8 shall be held by the Commission on the proposed code changes, its justification and code advisory recommendations at which time statements, arguments, or comments, either oral or writing, or both shall be permitted.
 - (1) A challenge shall refer to a specific recommendation or proposed code change and clearly indicate what is being contested. The challenge shall specify the action desired: approve, disapprove, return for further study or approve as amended. A challenge shall specify a concise substantiating reason for the challenge.
 - (2) Following the close of the comment period and/or public hearing, the Commission shall make available to the public upon request a monograph of challenges received at the Commission office by the close of the written comment period and/or comments received at the public hearing.
 - (3) The Commission shall consider the challenges contained in the monograph.
 - (4) No new issues will be raised before the Commission that was not printed in the monograph of challenges.
 - (5) Items not challenged, but affected as a result of an action on another item, may also be considered at the Commission meeting to eliminate conflict, duplication, or overlap.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.
- (b) In reviewing building standards submitted for its approval, the commission shall consider only the record of the proceedings of the adopting agency, except as provided in subdivision (b) of Section 11342.3 of the Government Code.
- (c) Where the commission is the adopting agency, it shall consider the record submitted to, and considered by, the state agency that proposes the building standards and the record of public comment that results from the commission's adoption of proposed regulations.
- (d) (1) The commission shall give great weight to the determinations and analysis of the adopting agency or state agency that proposes the building standards on each of the criteria for approval set forth in subdivision (a). Any factual determinations of the adopting agency or state agency that proposes the building standards shall be considered conclusive by the commission unless the commission specifically finds, and sets forth its reasoning in writing, that the factual determination is arbitrary and capricious or substantially unsupported by the evidence considered by the adopting agency or state agency that proposes the building standards.
- (2) Whenever the commission makes a finding, as described in this subdivision, it shall return the standard to the adopting agency or state agency that proposes the building standards for a reexamination of its original determination of the disputed fact.
- (e) Whenever a building standard is principally intended to protect the public health and safety, its adoption shall not be "factual determination" for purposes of subdivision (d). Whenever a building standard is principally intended to conserve energy or other natural resources, the commission shall consider or review the cost to the public or benefit to be derived as a "factual determination" pursuant to subdivision (d). Whenever a building standard promotes fire and panic safety, each agency shall, unless adopted by the State Fire Marshal, submit the building standard to the State Fire Marshal for prior approval.
- (f) Whenever the commission finds, pursuant to paragraph (2) of subdivision (a), that a building standard is adopted by an adopting agency pursuant to statutes requiring adoption of the building standard, the commission shall not consider or review whether the adoption is in the public interest pursuant to paragraph (3) of subdivision (a).

INITIAL STATEMENT OF REASONS

GENERAL – EXPRESS TERMS

The Administrative Procedure Act requires that an Initial Statement of Reasons be available to the public upon request, when rulemaking action is being undertaken. The following are the general reasons for proposing this particular rulemaking action:

NOTE: See individual code change items for specific State agency proposed modifications. Each item is followed with the specific reason (public problem, purpose, and necessity) for the particular code change.

Health and Safety Code Section 18929.1 requires the Commission to receive proposed building standards from state agencies for consideration in annual code adoption cycle. The Commission is task with responsibility of ensuring adequate participation in the development of building standards. Law requires technical advisory committees, appointed by the Commission, to review the technical merit of the proposed building standards prior to the Commission taking an action. Proposed building standards contained in this monograph will be reviewed by technical advisory committees in January and February 2005. (All committee dates are subject to change)

Health and Safety Code Sections 18949.1, 18949.2 and 18949.3, and 18949.5 transfers to the Commission the adoption responsibilities for building standards that proposed by four state agencies. The state agencies are the Division of the State Architect, the Office of the State Fire Marshal, the Office of Statewide Health Planning and Development and the Department of Housing and Community Development. Under the authority granted by these provisions of law, the Commission proposes to adopt, amend, repeal, carry forward, approve, codify, and publish building standards contained in the California Code of Regulations, Title 24, **Parts 1, 2, 3, 4, 5, 9, and 12**, as presented in this monograph.

THE CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)

Where no state agency has the authority, Health and Safety Code 18934.5 authorizes the California Building Standards Commission to adopt building standards. The building standards shall provide minimum standards for the design and construction of state buildings, buildings constructed by the Trustees of the California State University, and buildings constructed by the Regents of the University of California.

The CBSC proposes to:

- Update the current 2001 California Building Code regarding the National Design Specifications, 2001 edition (NDS 2001). This action will further amend provision adopted by emergency during the previous rulemaking activity.
- Adopt the 2003 Uniform Mechanical Code with necessary amendments for use as the model code for the 2004 California Mechanical Code.
- Adopt the 2003 Uniform Plumbing Code with necessary amendments for use as the model code for the 2004 California Plumbing Code.
- Codify existing building reference standards to correct an administrative error that occurred in a previous rulemaking cycle for part 12, California Reference Standards, California Code of Regulations, Title 24.

THE DIVISION OF THE STATE ARCHITECT ACCESS COMPLIANCE (DSA/AC)

Government Code Section 4450 authorizes the Division of the State Architect the task of promulgating building standards that ensure barrier-free design in all buildings, structures, sidewalks, curbs, and related facilities, site work and other improvements specified by law.

The Division of the State Architect is responsible for incorporating standards at least as restrictive as those required by the federal government for barrier-free design under:

- Title III (Public Accommodations and Commercial Facilities), Sub-part D (New Construction and Alteration) and Appendix A (Americans with Disabilities Act Accessibility Guidelines) (see 28 C.F.R., Part 36) and
- Title II (Public Entities), Section 35.151 (New Construction and Alterations) (see 28 C.F.R., Part 35) both from the Americans with Disabilities Act of 1990, and
- Under the Fair Housing Amendments of 1988.

The DSA/AC proposes to:

- Make editorial modifications, (changes without regulatory effect), to the 2004 California Administrative Code and the 2004 California Electrical Code
- Re-organization of Chapter 11A and 11B, accessibility chapters from the 2001 California Building Code with existing amendments to be moved forward and new amendments proposed to be added.
- Adopt the 2003 Uniform Plumbing Code with necessary amendments to be used as part 5 of the 2004 California Plumbing Code, California Code of Regulations, Title 24.

THE DIVISION OF THE STATE ARCHITECT STRUCTURAL SAFETY (DSA/SS)

Health and Safety Code Sections 16000 through 16023 provides the basis for the Division of the State Architect Structural Safety (DSA/SS) with authority to propose this regulatory action for compliance for application to essential services buildings. It is the intent of the Legislature that essential services buildings, which shall be capable of providing essential services to the public after a disaster, shall be designed and constructed to minimize fire hazards and to resist, insofar as practical, the forces generated by earthquakes, gravity, fire, and winds. It is also the intent of the Legislature that the structural systems and details set forth in working drawings and specifications be carefully reviewed by the responsible enforcement agencies using qualified personnel, and that the construction process be carefully and completely inspected. In order to accomplish these purposes, the Legislature intends to provide for the establishment of building standards for earthquake, gravity, fire, and wind resistance based upon current knowledge, and intends that procedures for the design and construction of essential services buildings be subjected to qualified design review and construction inspection.

It is further the intent of the Legislature that the nonstructural components vital to the operation of essential services buildings shall also be able to resist, insofar as practical, the forces generated by earthquakes, gravity, fire, and winds. The Legislature recognized that certain nonstructural components housed in essential services buildings, including, but not limited to, communications systems, main transformers and switching equipment, and emergency backup systems, are essential to facility operations and that these nonstructural components should be given adequate consideration during the design and construction process to assure, insofar as practical, continued operation of the building after a disaster.

Existing Education Code (Ed.C.) Sections 17280 through 17317 provides the basis for the Department of General Services (DGS), DSA/SS with the authority to propose this regulatory action for application to public schools. The DSA shall supervise the design and construction of any school building, reconstruction or alteration to ensure that the plans and specification comply with the adopted rules, regulations and building standards published in Title 24, California Code of Regulations (CCR). The DSA shall also ensure the work of construction has been performed in accordance with the approved plans and specifications for the protection of life and property.

Existing Ed.C. Section 81130 through 81149 provides the basis for the DGS, DSA/SS with authority to propose this regulatory for application to community colleges. The DSA shall supervise the design and construction of any school building to ensure that plans and specifications comply with building standards published in Title 24, CCR. The DSA shall also ensure the work of construction has been performed in accordance with the approved plans and specifications for the protection of life and property.

The DSA/SS proposes to:

- Amend various structural sections of Part 2, Vol.2, 2001 California Building Code for the above-specified applications.
- Adopt the 2003 Uniform Mechanical Code with necessary amendments to be used as the 2004 California Mechanical Code, Part 4, California Code of Regulations, Title 24.
- Adopt the 2003 Uniform Plumbing Code with necessary amendments to be used as the 2004 California Plumbing Code, Part 5, California Code of Regulations, Title 24.

THE OFFICE OF STATE FIRE MARSHAL (SFM)

Existing law authorizes the State Fire Marshal to propose building standards for adoption by the Commission for specified applications. The citations of laws and its application are as follows:

Application—Any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, sanitarium, home for the aged, children's nursery, children's home, school or any similar occupancy of any capacity.

Any theater, dance hall, skating rink, auditorium, assembly hall, meeting hall, nightclub, fair building, or similar place of assemblage where 50 or more persons may gather together in a building, room or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Any building or structure which is open to the public and is used or intended to be used for the showing of motion pictures when an admission fee is charged and when the building or structure has a capacity of 10 or more persons.

Authority Cited—H&SC § 13143.

Application—Single Family Day-care Homes.

Authority Cited—H&SC §1597.45, 1597.54, 13143 and 17921.

Application—Large Family Day-care Homes.

Authority Cited—H&SC §1597.46, 1597.54, and 17921.

Application—Residential Facilities and Residential Facilities for the Elderly.

Authority Cited—H&SC §13133.

Application—Any state institution or other state-owned or state-occupied building.

Authority Cited—H&SC §13108.

Application—High-rise Structures.

Authority Cited—H&SC §13211.

Application—Organized Camps.

Authority Cited—H&SC §18897.3.

Application—All hotels, motels, lodging houses, apartment houses and dwellings, including congregate residences and buildings and structures accessory thereto.

Multiple-story structures existing on January 1, 1975, let for human habitation, including and limited to, hotels motels, apartment houses, less than 75 feet above the lowest floor level having building access, wherein rooms used for sleeping are let above the ground floor.

Authority Cited—H&SC §13143.2 and 17921.

Application—Certified family-care homes, out-of-home placement facilities, halfway houses, drug and/or alcohol rehabilitation facilities and any building or structure used or intended for use as a home or institution for the housing of any person of any age when such person is referred to or placed within such home or institution for protective social care and supervision services by any governmental agency.

Authority Cited—H&SC §13143.6.

Application—Tents, awnings or other fabric enclosures used in connection with any occupancy.

Authority Cited—H&SC §13116.

The SFM proposes to:

- Amend various sections of Part 2, 2001 California Building Code for the above-specified applications.
- Adopt the 2003 Uniform Mechanical Code with necessary amendments to be used as the 2004 California Mechanical Code, Part 4, California Code of Regulations, Title 24.
- Adopt the 2003 Uniform Plumbing Code with necessary amendments to be used as the 2004 California Plumbing Code, Part 5, California Code of Regulations, Title 24.
- Amend various sections of Part 9, 2001 California Fire Code for the above-specified applications.
- Codifying existing building reference standards to correct an administrative error that occurred in a previous rulemaking cycle for part 12, California Reference Standards, California Code of Regulations, Title 24.

THE OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

Existing law which commences with Section 15000 of Chapter 1, Division 12.5, Health and Safety Code (Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983) was enacted on January 1, 1983 by Chapter 303, Statutes of 1982 (Senate Bill 961, Alquist). The provisions of the Act grants to the Office of Statewide Health Planning and Development the authority to establish proper building standards to carry out its provisions, and preempt from local jurisdiction the enforcement of all building standards relating to health facilities as defined by the Act – hospitals and multistory nursing facilities (OSHDP 1), single story wood frame type V nursing facilities (OSHDP 2), and correctional treatment facilities (OSHDP 4). Responsibilities of the Office include the plan checking and the inspection of the design and construction of the architectural, structural, electrical, mechanical, and plumbing systems. This responsibility also includes the enforcement of fire and life safety requirements adopted by the State Fire Marshal and Accessibility for Disabled Persons standard as adopted by the Division of State Architect Accessibility Section.

Health and Safety Code Section 1226 grants the Office of Statewide Health Planning and Development the authority to prescribe minimum construction standards of adequacy and safety for the physical plant of licensed clinics (OSHDP 3).

The specific purpose of the California Building Standards Code is to provide protection to life and property by regulating the design, construction and reconstruction of hospital buildings, skilled nursing facilities, intermediate care facilities and clinic buildings. This proposal for adoption is authorized pursuant to Sections 446.2, 446.3, 1226, 1275 and Sections 15000 through 15093 of the Health and Safety Code.

The OSHPD proposes to:

- Amend various sections of Part 1, 2004 California Administrative Code for Hospital Inspector Certification and for the above-specified applications.
- Amend various sections of Part 2, 2001 California Building Code Vol. 1 & 2 for the above-specified applications.
- Amend various articles of Part 3, 2004 California Electrical Code for the above-specified applications.
- Adopt the 2003 Uniform Mechanical Code with necessary amendments to be used as the 2004 California Mechanical Code, Part 4, California Code of Regulations, Title 24.
- Adopt the 2003 Uniform Plumbing Code with necessary amendments to be used as the 2004 California Plumbing Code, Part 5, California Code of Regulations, Title 24.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

Health and Safety Code Section 17922 of the State Housing Law and 19990 of the Factory-Built Housing Law, directs the Department of Housing and Community Development to propose the adoption of building standards which are substantially the same as the most recent edition of the National Electrical Code of the National Fire Protection Association.

Health and Safety Code Section 17921 of the State Housing Law; Health and Safety Code Section 17040 of the Employee Housing Act; and Health and Safety Code Sections 18300, 18620, 18640, and 18670 of the Mobilehome Parks Act directs the Department of Housing and Community Development to propose the adoption amendment or repeal of building standards.

The HCD propose to:

- Update the current 2001 California Building Code regarding the National Design Specifications, 2001 edition (NDS 2001). This action will further amend provision adopted by emergency during the previous rulemaking activity. HCD is also proposing a repeal and re-write of Chapter 11A, Housing Accessibility.
- Amend various articles of Part 3, 2004 California Electrical Code for the above-specified applications.
- Adopt the 2003 Uniform Mechanical Code with necessary amendments to be used as the 2004 California Mechanical Code, Part 4, California Code of Regulations, Title 24.
- Adopt the 2003 Uniform Plumbing Code with necessary amendments to be used as the 2004 California Plumbing Code, Part 5, California Code of Regulations, Title 24.

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